Directive 2003/59/EC on the initial qualification and periodic training of drivers of certain road vehicles for the carriage of goods or passengers

Directive 2003/59/EC is part of this overall effort to increase the safety on European roads. The purpose of the Directive is to raise the standard of new drivers and to maintain and enhance the professionalism of existing truck and bus drivers throughout the EU through a continuous update of their capacities.
The objective of the this public consultation is to provide input to the European Commission in order to assess how effectively the Directive has met its objectives and what specific action and measures may need to be adopted to improve its effectiveness. Please also read the **background document**.
Questions marked with an asterisk * require an answer to be given.

1. Information about the respondent

In this first section you are asked to provide general information regarding yourself or the organisation you represent. The Commission asks organisations, who wish to submit comments in the context of public consultations, to provide the Commission and the public at large with information about whom and what they represent. If an organisation decides not to provide this information, it is the Commission's stated policy to list the contribution as part of the individual contributions. Received contributions may be published on the Internet.
Rules on **personal data protection** apply.
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Your surname : Taal
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Please provide some information about your organisation*
Public authority
Other
Please specify your main country of operations or residence*
EU wide ES - Spain MT - Malta
AT – Austria FI - Finland **NL - Netherlands**
BE – Belgium FR – France PL - Poland
BG - Bulgaria HR - Croatia PT - Portugal
CY - Cyprus HU – Hungary RO - Romania
CZ - Czech Republic IE - Ireland SE – Sweden
DE - Germany IT - Italy SI - Slovenia
DK - Denmark LT - Lithuania SK - Slovakia
EE - Estonia LU – Luxembourg UK - United Kingdom
EL - Greece LV - Latvia Other
Please specify "Other"*
Are you answering as an individual or on behalf of an organisation or an institution?*

on behalf of the government of the Netherlands

I am answering as an individual

I am answering on behalf of an organisation or institutions (business organisation, NGO, public authority, etc.)

Please note that as part of the European Transparency Initiative, organisations are invited to use the register of interest representatives to provide the European Commission and the public at large with information about their objectives, funding and structures (**http://europa.eu/transparency-register/index_en.htm**).
Please indicate if your organisation is registered in the Transparency Register of the European Commission.*

2. The general relevance and effectiveness of the Directive

2.1. The importance of education and training of drivers

The first series of questions does not refer to the current content of the Directive in a strict sense, but looks beyond to understand the wider role the Directive can play for road safety, for the transport sector and the profession of driver.

The European Commission's action in the area of transport of goods and passengers by road is based on the strong belief that action in this area is an important element to increase safety on European roads and that the qualification and training of drivers have an important role to play. In 2009 alone, more than 4,200 people died in road traffic accidents involving so-called Heavy Goods Vehicles (HGVs), meaning vehicles of over 3.5 tons maximum permissible gross vehicle weight. In the overall number of accidents the share of trucks is modest.

However, while less than 2.5 % of the total road accidents lead to fatalities, over 6 % of the accidents involving heavy good vehicles lead to fatalities. A study on the causes of accidents involving trucks has shown that around 85 % of the accidents are linked to human error of one of the road participants. Other causes of accidents such as weather and infrastructure conditions could as well be mitigated through specific training of drivers.

1. Do you think that qualification and education of drivers engaged in the transport of goods or passengers by road have an important contribution to make to road safety?

- **Yes**
- No

Comments:

Theoretical knowledge of regulations will make a limited contribution to road safety, as the human factor plays an important role in traffic. There is also the danger present in every type of self-paced training for a job, such as a driver's, that it can lead to behavioural adaptation, which negates the effect of the training through a higher level of risk acceptance. The actual occurrence of behavioural adaption is highly dependent on the learning objectives and the instruction method. From the standpoint of the Directive, more attention ought to be given to practical matters that are important for road safety, such as combating fatigue and the careful securing of loads to ensure safe driving.

2. Do you think that the level of mutual recognition of the profession currently stipulated in the Directive is sufficient or should a higher level of recognition be pursued?

- **Yes, the current level of mutual recognition is sufficient**
- No, a higher level of recognition should be pursued.

Comments:

Given the dynamics of the training scene and that the Netherlands has opted for an examination model, a greater degree of recognition would not be desirable. However, mutual recognition helps Dutch companies with their activities abroad, for which a certain amount of standardisation is indispensible.

3. Do you think that the setting up of an increased harmonisation of requirements would increase the consideration of the profession of driver?

- Yes
- **No**

Comments:

The Dutch Government does not believe that the image problem is going to be solved by raising the level of training. Although the profession of bus driver has a status between low and medium, the job entails considerable responsibility. Instead of creating higher thresholds, the image and appeal of the profession ought to be improved. As regards making the profession itself more

appealing, the areas that have to be highlighted are the profession's diversity, employability of drivers (possibly in other sectors) and security (e.g. by using secure lanes).
Moreover, in certain sub-sectors (transport of hazardous substances for example), drivers already have to meet higher standards.

4. Do you think that the establishment of a common framework for the training and the testing, further harmonisation of the content of the training, and the setting of common requirements for training centres and instructors could further contribute to the objectives of the Directive?

- **Yes**
- No

Comments:
Evidence shows that training for professional drivers reduces the risk of accidents, although the degree depends on the objectives and the instruction method. From the standpoint of the effect on road safety, it is therefore important to specify in greater detail what training drivers need to receive and how this should be delivered.
However, further harmonisation should not be at the expense of the à la carte model used in the Netherlands to match as closely as possible the training requirements of companies as well as individual drivers**.**

2.2. The impact of the Directive

This second set of questions intends to analyse, whether the Directive has managed to meet the overall objectives that were set at the time of its adoption.
The Directive was adopted to guarantee initial qualification and periodic training of drivers of certain road vehicles to increase safety on European roads. The European Commission wishes to hear the stakeholders' opinion as to if and to what extent the Directive has actually met this objective and contributed to road safety (e.g. by improving the knowledge of road traffic regulations, changing driving attitudes, improving compliance with working time periods or increasing the awareness of risks).

5. Do you think that the Directive has contributed to increasing safety on European roads? Please explain your answer in the comments section.

- Yes, significantly
- Yes, but only insufficiently
- No, not at all

Comments:
We cannot give a well-founded answer to this question, as the Netherlands has no objective data derived from accident statistics. As safety is covered by the training courses, it seems plausible that the roads have become safer, particularly in countries that had no recognised basic driving qualification before the Directive came into force.
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6. Do you think that the Directive has contributed to the development of the level of professional competence of drivers?*

- Yes, significantly
- Yes, but only marginally
- No, not at all

Comments:
We cannot give a well-founded answer to this question, as the Netherlands has no objective data on the professional competence of drivers.
However, as the professionalization of drivers is laid down in a Directive, an improvement has undoubtedly occurred in many Member States.

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7. Do you think that the Directive has facilitated the mobility of drivers in the transport sector?

- Yes, significantly
- Yes, but only marginally
- No, not at all

Comments:
This question, too, is unanswerable owing to the lack of numerical data. Not all countries currently recognise each other's certificates and periodic training courses, and there is no exchange of information concerning the documents issued by Member States. Apart from this, the difficulty of working in another Member State is further increased because of other obstacles, such as those relating to work permits, loss of pension rights, and language proficiency.

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8. Do you think that the Directive has contributed to the creation of a level playing field for drivers and undertakings?

- Yes, significantly
- **Yes, but only marginally**
- No, not at all

Comments:
Several level playing fields can be identified, the most important one being that for labour costs. This aside, level playing fields are also important for working conditions and employment conditions. This Directive will create a level playing field only for professional competence, so that the other areas mentioned will have to be regulated using a different instrument.

2.3. Scope of the Directive and Exemptions

The Directive contains a definition of its scope as well as a list of vehicles and uses to which it does not apply. Both must be taken into account in order to establish the applicability of the Directive to any given case. Notwithstanding the differences in the objective, an alignment with the definition of the scope and the exemptions contained in Regulation (EC) No 561/2006 on the harmonisation of certain social legislation relating to road transport regulating inter alia the working and rest periods of drivers could provide more clarity. Alternatively, a separate system of exemptions not related to other EU legislative measures could be elaborated.

9. Do you think that the alignment of the scope and the exemptions of Directive 2003/59/EC with the ones stipulated in Regulation 561/2006/EC would best increase clarity on the scope of the Directive? Alternatively, do you think that a separate system of exemptions would be the most adequate option?

- The scope and exemptions should be aligned with Regulation 561/2006/EC
- **A separate system of exemptions should be elaborated.**

Comments:
As far as enforcement is concerned, it would be better to align the exemptions of the Directive on professional competences with those of the Regulation on driving times and rest periods. However, this alignment could result in certain groups, public transport bus drivers for example, which are currently exempt under the Regulation from using the tachograph, also being exempt under the Directive from periodic training. This would be an undesirable change. Moreover, a separate system would satisfy the transport industry's need for an expansion of the exemptions under Regulation 561/2006.

10. Who do you think the regime of qualification and training of the CPC should apply to?

- To all drivers driving vehicles requiring a C or D licence.

- **Only to professional drivers driving vehicles requiring a C or D licence.**
- To all professional drivers, including drivers of certain vehicles requiring other licences.

Comments:
Option 1 would be an unreasonable burden on non-professional drivers who occasionally and/or non-commercially transport goods or people.
Option 3 would also require, for example, taxi drivers being compelled to undergo periodic training. As taxi transport has no competitors from other driving licence categories, expanding the Directive because of competition considerations is unnecessary. If an expansion is considered, a preliminary assessment is necessary to determine whether training taxi drivers can help improve road safety.

11. Do you think the CPC training should be structured in such a way to offer an option between gradual access to professional driving at an earlier age on the basis of training and experience and direct access at a higher age?

- Yes
- **No**

Comments:
This proposal would make the profession less attractive to younger people, leading to fewer entrants and the risk of Netherlands' transport sector suffering a large shortage of drivers, possibly more than 40 %. Many transport firms already opt for young people to first become familiar with the vehicles locally and/or regionally, before driving the vehicles on long-distance journeys. This issue can therefore be left to the firms to resolve.

12. Do you think that a new structure of the training based on modules should be introduced or do you favour the current free system?

- A new system based on modules and credits should be introduced
- **The current system should be maintained**
- Other

Please specify "Other" (maximum 2000 characters)

Comments:
If the new system were to comprise fixed modules that all drivers have to follow – the situation in France – this would conflict with the flexible à la carte system currently used in the Netherlands. Not all drivers need the same training. The flexible à la carte model offers training that is considerably more oriented to the target group.

13. How do you think the training should be certified as regards drivers obtaining the CPC in another Member State?

- **By a requirement for the Member State, which issued the driving licence to mark code 95 on the basis of a valid CPC issued by another Member State.**
- By a requirement for the host Member State where the CPC was obtained to issue a separate driver qualification card to the driver.
- Other

Please specify "Other"

Comments:
Based on costs and administrative burden, the Netherlands has opted for a code on the driving license document. Regarding enforcement, a choice has to be made between either a code on the driving licence and a driver card. The proposal for a separate card, including for those countries where code 95 is in use, entails substantial additional costs. A Dutch driving licence has to show code 95. If a driver goes on the road with a Dutch licence that has no code 95, but is carrying a driver card issued by another country, then a confusing situation exists. This need not occur, as a driver from another Member State can obtain a Dutch driving licence showing code 95, based on

information from abroad. We propose that a standard exchange certificate be drawn up, stating when the periodic training was satisfactorily completed. There is also a need for the competent authority to issue a document showing the number of hours of periodic training. As an example, this would be for someone who completes 20 hours' periodic training in the Netherlands, then goes to Spain and completes a further 15 hours in that country. As part of the exchange process, the Netherlands accepts the final date of the professional competence and returns the driving licence, either with code 95 on the licence or accompanied by a driver license card.

14. Do you think that the establishment of a harmonised format of the CPC as a document becomes necessary, if the CPC becomes a mutually recognised document?

- **Yes**
- No

Comments:
A lot of thought needs to be given to making the CPC fraud-proof at a cost that is not out of proportion.

3. Structure and content of the training

3.1. Specificity of the CPC

In its current form the Directive does not define clearly the specificity of the CPC vis-à-vis other types of trainings or tests. This has led in some Member States to the possibility of a combination of CPC training with for example training on the European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR). In other Member States testing for the CPC can be combined with the normal driving licence testing. Allowing for the CPC to be combined with other trainings or tests may lead to a dilution of the specific characteristics of the CPC training and may reduce the specific value of the CPC training as well as its effectiveness. It could also undermine the effort to generate a higher professionalization of the transport sector through the CPC training.

15. Do you think that training for the CPC should be explicitly separated from other forms of training in order to preserve the specificity of the CPC training and its objectives?

- Yes
- **No**

Comments:
Such a limitation would be an unnecessary burden on the transport industry. Combining reduces the costs and administrative burden for companies. The issue is to properly test the subjects given in Annex I. If the test results are positive, the Netherlands sees no objection to combining the periodic training required under Directive 2003/59 with, say, the periodic training required for the transport of hazardous substances.
From the standpoint of road safety, it is vital to ensure that the higher skills, such as danger identification, anticipative driving, risk perception, risk acceptance and situation awareness, receive prominence in the Directive on driving licences and/or the Directive on professional competence.

16. Do you think the CPC test should be explicitly separated from the driving licence test?

- Yes
- **No**

Comments:
In the Netherlands, we have incorporated parts of the testing of professional competence in the practical exam taken on the road (by giving an exam that takes longer). The theoretical tests also contain overlaps as regards the driving licence and professional competence, simply because there

are many commonalities between the subjects specified in the Directive on driving licences and the Directive on professional competence.

3.1.1. Initial qualification and training

Under Article 3 of the Directive, the activity of driving is subject to a compulsory initial qualification. As the emphasis is on the initial qualification in itself and not on the way this qualification is obtained Member States have the possibility to choose between an option that foresees both course attendance followed by a theoretical test and an option that only foresees a theoretical and a practical test without any mandatory course attendance beforehand. After the successful completion of the test the CPC is issued to drivers. The length and the content of the training foreseen under the first option are clearly stipulated in the Directive.

The possibility of choosing between two options for the initial qualification, allows Member States to select the option they deem most suitable for their country. At the same time the absence of a mandatory training under the second option leads to the concern that the higher level of preparation which the CPC should certify might not really be obtained.

17. Do you think that all drivers should have to undergo a minimum initial training before obtaining the CPC?

- Yes
- **No**

Comments:
The point is that there is a certain minimum level of knowledge for drivers to possess. For that matter, most candidates in the Netherlands undergo training at a regional training centre or take a course at a driving school.

The subjects to be covered during the initial and the periodic training are organised around three main themes: 'Advanced training in rational driving based on safety regulations', 'Application of regulations', and 'Health, road and environmental safety, service, logistics'. Annex I lists the single subjects to be covered in these three areas. They are meant to provide drivers with the necessary competences to improve road safety and at the same time make a useful contribution to their professionalization.

18. Are the subjects listed in Annex I for the initial and periodic training relevant for the objectives of the Directive? If there are subjects you consider irrelevant, please indicate them.

- **Yes, very**
- Yes, somewhat
- No, not at all

Comments:
In our opinion, items 3.7 and 3.8 (knowledge of the economic climate) in Annex I are not relevant in relation to the objectives of the Directive. More emphasis could be put on environmental protection requirements. Apart from this, the objective ought to be enlarged to cover accident prevention in all situations that drivers encounter. To this end, some broadening of the subjects is advisable.

19. Are there other subjects which in your view are relevant to the training but are currently not listed in the Annex?

If yes, please list them and explain why.

- **Yes**
- No

Comments:
In general, a system should be found that allows the list of subjects covered by periodic training to

be modified in line with new developments.
Specific examples are:

- training in the use of relevant equipment (such as forklift trucks)
- more emphasis on environmental protection requirements and energy-efficient driving
- more emphasis on the importance of concentration while driving and the danger of distraction when using modern communication devices
- proper use of navigation systems
- updates on traffic rules

20. Do you think that the use of top-of-the-range simulators during the training is useful and should therefore be mandatory?

- **Yes**
- No

Comments:
Simulators produce very good results as regards practising road safety. A simulator session that includes debriefing provides a driver with insight into his driving behaviour in situations that nobody hopes to encounter in reality. Well-planned simulator training sessions have shown no occurrence of behavioural adaptation. However, there remain doubts regarding whether they are feasible in terms of cost and availability.

In the Directive there is no provision regulating the use of e-learning instruments during the training. The on-going technological progress in the decade since the Directive was approved has led to an ever increasing use of e-learning. The European Commission is interested in stakeholders' view on e-learning to understand if it can make an important contribution to the training of drivers and replace parts of the in-house training or if it does not meet the requirements to guarantee high quality levels of training.

21. Do you think that e-learning could make a useful contribution to the training and can therefore partially replace in-house training?

- **Yes**
- No

Comments:
For younger drivers in particular, e-learning satisfies the need to undertake learning independently of place and time. It should be utilised on a larger scale, subject to the condition that, during the e-learning, tests are employed to check the knowledge actually acquired. Given the implementation aspects of the supervision, this demands a different setup.

3.1.2. Compulsory periodic training

The Directive requires Members States to establish a system of periodic training based on compulsory course attendance. Periodic training should enable drivers to update the knowledge essential for their work. The duration of the periodic training is 35 hours every five years, given in sessions of at least seven hours. Members States issue the CPC to drivers who have completed the periodic training. The periodic training must be taken by new drivers within five years after obtaining the CPC for initial qualification, and by drivers who hold acquired rights, following the timetable set by their Member States.
Member States and also single training centres have great freedom in determining the content and other aspects of the periodic training. The Directive only stipulates that the periodic training shall expand on and review some of the subjects referred in section 1 of Annex I. This means that there is no common European wide regulation of the subjects to be covered during the periodic training. In some cases the competent national authorities have issued national syllabi for the periodic training, while in other Member States the single training centres are given the possibility of offering a wide variety of courses.
The Directive does not stipulate if practical training has to be part of the periodic training. In some Member States practical training is a mandatory part of the periodic training, while in other Member Stats the periodic training is based only on theoretic training.

This raises the issue of guaranteeing sufficient uniformity in the periodic training across all Member States and the necessity to assure that all relevant aspects are covered and that the CPC cannot be obtained on the basis of subjects that have little to do with the CPC training. This could be achieved through a uniform European training syllabus for the periodic training, which would also regulate the inclusion of practical training in the periodic training.

22. Do you think there should be a uniform European syllabus for the periodic training?

- Yes
- **No**

Comments:
The Commission's intention is not entirely clear to us. The Netherlands is definitely in favour of compulsory practical training. In the context of road safety, we also consider it wise for a future Directive on professional competence to set learning objectives for periodic training. However, a standard programme that is the same for all drivers goes against the current flexible system in the Netherlands. It would limit the possibilities for designing periodic training in line with the needs of employees and employers.

In the same way the Directive does not specify the content of the periodic training clearly, it does not specify if the driver has to undergo a test after the completion of the 35-hours of periodic training either. In most Member States course attendance only suffices for the issuing of the CPC and no test is foreseen to verify if the driver has really acquired the necessary knowledge of the subjects covered during the periodic training.

23. Do you think that there should be a test after the periodic training?

- Yes
- **No**

Comments:
This would create unnecessary hurdles for drivers who have difficulty with taking tests. Taking an exam provides no guarantee that the attendees will retain the knowledge in question. There are enough alternatives for additional training that do not require an exam for their completion or raise questions about their quality (consider the training of specialists and lawyers). Moreover, exams increase the administrative burden on companies.

The organisation of the periodic training in the Member States varies not only in content but also in the way the 35 hours of periodic training are distributed over the 5-years period. The Directive only stipulates that the single training periods must be at least 7 hours. Some countries have not regulated the distribution at all, leaving the freedom to distribute it over the whole 5-years period, some have determined that 7 hours of training have to be completed each year, while others have stipulated that the 35 hours of periodic training have to be completed within a limited fixed period of time (e.g. in one block or within 10 months).

24. Do you think that the most efficient way of organising the periodic training is to concentrate it in a limited fixed period at the end of the 5 years period or to distribute it over the whole 5-year period?

- Concentrate it in a limited fixed period at the end of the 5-years period
- **Distribute it over the whole 5-years period**
- Other

  Please specify "Other" (maximum 2000 characters)

Comments:
Concentrating it at the end of a five-year period will create problems in terms of training capacity.

In addition, an obligation would encroach on the current flexibility and freedom of choice, adversely affecting the operations of companies.

Further to question 11 no mechanism for the recognition of periodic training partially undergone in another Member State is currently foreseen (e.g. a driver undergoes 10 hours of periodic training in Member State A and then moves to Member State B and would like to have these 10 hours of periodic training counted towards the 35 hours of periodic training he has to undergo every five years). The recognition of this partial periodic training undergone in another Member State is not mandatory. It is important to understand if stakeholders see a need for the creation of such a mechanism of mutual recognition.

25. Do you think that a mechanism for the mutual recognition of parts of periodic training undergone in another Member State should be created?

- **Yes**
- No

Comments:
This necessitates clarity as regards which bodies are competent to record training hours. There would also be a need for a document, which shows the hours recorded, to be issued by the competent body and recognised by all Member States.

3.1.3. Approval of training centres and instructors

The training centres providing the initial and periodic training must be approved by the Member States' competent authorities. Annex I section 5 of the Directive lists the documents which must support the application and the conditions under which the competent authority must give approval. Approval can be given only in response to a written application. At the same time it is left to the competent authorities of the Member States to determine what "a suitable qualification and training programme is", and what characteristics the premises where the courses are given, the teaching materials and the vehicle fleet used need to have in order to be considered adequate. The European Commission is interested in hearing from stakeholders if they consider a more detailed regulation of approved training centres (e.g. by means of common quality standards) as necessary to guarantee the same high levels of quality of the training in the whole of the EU.

26. Do you think that the Directive should regulate more in detail the requirements training centres have to meet in order to become an approved training centre?

- Yes
- **No**

Comments:
The Directive already specifies the requirements for training centres. What is necessary is to monitor whether all countries comply with the Directive.

The requirements to be met by the instructors are not specified in the Directive either. The Directive only requires training centres to communicate to the competent national authorities the instructors' qualification and field of activity, but leaving it to the national authorities to determine on the basis of which criteria the instructors' qualifications can be deemed satisfactory.

27. Do you think that the Directive should regulate the requirements instructors have to meet in order to become approved instructors?

- Yes
- **No**

Comments:
A distinction needs to be made between the qualifications required to give theoretical periodic training and the standards specified for advanced driving instruction. For the first category, the

general requirement that an instructor has to be didactically competent is sufficient. For the second category, in addition to the aforementioned general requirement, an instructor must have competences and experience that relate more specifically to the demands of this category.
The Netherlands stipulates statutory requirements as far as this is concerned. Regarding any future regulations for the requirements applying to other trainers, given the diversity in types of training, it is difficult to imagine a possible format that would be practical for the Netherlands.

3.2. Other comments

In the final section of the questionnaire you have the opportunity to comment on any other aspect of the Directive, which has not been covered by the previous questions, but which you deem relevant in the course of a reflection on a review of the Directive.

28. Are there any other aspects of the Directive you would like to comment on?

Enforcement. Europe as a whole has to devote more attention to compliance with the agreed rules.